

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

301 State House
(317) 232-9855

FISCAL IMPACT STATEMENT

LS 8065

BILL NUMBER: SB 468

DATE PREPARED: Jan 24, 2001

BILL AMENDED:

SUBJECT: Reporting of Impaired Health Practitioners.

FISCAL ANALYST: Chris Baker

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FUNDS AFFECTED: X

**GENERAL
DEDICATED
FEDERAL**

IMPACT: State

Summary of Legislation: This bill requires a health care practitioner who has reason to believe that another practitioner has abused alcohol or other drugs to make a report to certain entities. The bill requires an entity that receives a report regarding alcohol or drug abuse by a practitioner to: (1) contact the practitioner and encourage the practitioner to enroll in a voluntary drug or alcohol treatment program; and (2) report the practitioner to the board that regulates the practitioner's profession if the practitioner refuses to enter or fails to successfully complete a voluntary treatment program. This bill also requires the board that regulates the profession of a practitioner who has refused to enter or failed to successfully complete a voluntary treatment program to conduct an investigation to determine if the practitioner is subject to disciplinary action. The bill provides immunity from civil and criminal liability for a practitioner who makes a report in good faith of suspected drug or alcohol abuse by another practitioner.

Effective Date: July 1, 2001.

Explanation of State Expenditures: *Background:* Currently, the State contracts with two recovery programs.

The Indiana Nurse Assistance Program is contracted by the Health Professions Bureau in conjunction with the Indiana State Nursing Board. The current contract is in effect until June 30, 2001. Proposals for competitive bidding for a contractor are in the process of submission and review with the State Department of Administration. Currently, three dollars (\$3) from a license fee is contributed to funding the program. The amount projected to be budgeted for the program in FY 2002 is \$171,000. There are approximately two hundred nurses in the program currently. There is no cost to the nurse while in the program. However, actual treatment rendered is paid by the recovering nurse whether out-of-pocket or under medical insurance coverage.

Additionally, the Indiana Pharmacists Alliance (IPA) created the Pharmacists Recovery Network (PRN) for treatment purposes. Actual treatment is determined by the Network's Medical Review Officer. The Medical Review Officer is a medical doctor trained in addictionology. The PRN is currently funded by the State. The Bureau, in conjunction with the State Board of Pharmacy, under contract with the IPA, transfers funds to the PRN. The projected FY 2002 budget for the PRN is \$35,000. The contract is funded by earmarking ten dollars (\$10) from each pharmacists'

biennial license renewal. Currently, the State Board of Pharmacy has referred three pharmacists to the PRN as the result of disciplinary action. An additional 21 pharmacists have been admitted under their own recognizance. Pharmacists in the program must pay for treatment rendered. The IPA has provided staff and other supplies for PRN since its creation in 1994.

All of the other medical professions having a recovery program are not under contract with the State.

Currently, the Health Professions Bureau does not have the ability to carry out investigations. The Bureau refers to the Office of the Attorney General to conduct an investigation. The specific impact of this proposal is indeterminable and would depend on the number of practitioners that come forward to report colleagues and specific board or committee actions. If investigations were to increase as a result of this proposal, then the Bureau or the Attorney General may require additional expenditures. Ultimately, the source of funds and resources required to satisfy the requirements of this bill will depend upon legislative and administrative actions.

Explanation of State Revenues:

Explanation of Local Expenditures:

Explanation of Local Revenues:

State Agencies Affected: Health Professions Bureau; Health Professional Boards and Committees; Office of the Attorney General.

Local Agencies Affected:

Information Sources: Beth Compton, Executive Director, Health Professions Bureau; Lawrence Sage, Executive Vice President, Indiana Pharmacists Alliance, (317) 634-496; Indiana State Nurses Association, (317) 299-4575.